

Message

From: Mendelsohn, Mike [Mendelsohn.Mike@epa.gov]
Sent: 12/6/2016 1:44:18 PM
To: Wozniak, Chris [wozniak.chris@epa.gov]
Subject: Re: Issue for Today's OGC General -Request from USDA that EPA be a Cooperating Agency on a NEPA EIS

Thanks Chris. Was EPA mentioned or said to be cooperating on the EA? I know you and John helped on it.

Sent from my iPhone

> On Dec 6, 2016, at 8:31 AM, Wozniak, Chris <wozniak.chris@epa.gov> wrote:
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> Mike,
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> The Oxitec review with FDA was an EA, not EIS.
>
> Chris
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> -----Original Message-----
> From: Mendelsohn, Mike
> Sent: Tuesday, December 06, 2016 8:24 AM
> To: Kaczmarek, Chris <Kaczmarek.Chris@epa.gov>
> Cc: McNally, Robert <McNally.Robert@epa.gov>; Hartman, Mark <Hartman.Mark@epa.gov>; Leahy, John
> <Leahy.John@epa.gov>; Kough, John <Kough.John@epa.gov>; Wozniak, Chris <wozniak.chris@epa.gov>
> Subject: Issue for Today's OGC General -Request from USDA that EPA be a Cooperating Agency on a NEPA
> EIS
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> Background
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> USDA's Biotechnology Regulatory Services is currently reviewing Southern Gardens' genetically
> engineered Citrus tristeza virus (CTV) that produce spinach defensins to control citrus greening under
> the Plant Pest Act. BPPD has reviewed these under EUP and anticipates registration applications under
> FIFRA and petitions under FFDCA.
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> USDA considers CTV as a plant pest and will never deregulate it. This is a unique situation for them.
> What they are considering is to allow the wide use under permit. To support this wide scale permit, USDA
> is planning on doing an Environmental Impact Statement under NEPA. They have requested that EPA and the
> State of Florida be cooperating agencies. Florida has agreed.
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> Recently, BPPD supported FDA on their EIS for environmental release of the Oxitec mosquito.
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> Issue
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> BPPD requests OGC advise on the legal implications for EPA's pesticide registration action should EPA
> agree to be a cooperating agency on USDA's EIS.
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